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The Social Construction and Production of Racism and Ethnocentrism

Materials for

RACE AND CULTURAL DIFFERENCE

(Bridge Week, January 4-7, 1993)

Faculty of Law

University of Toronto

NOTE: This is Volume 1 of 2 volumes. Volume 1 contains the readings for the Bridge week itself. Volume 2 will be available for optional purchase only after the Bridge Week for those interested in going somewhat more deeply into some of the topics in the Bridge. See the instructions preceding the Table of Contents to this volume on how to integrate the 2 volumes, if you choose to purchase the second volume after the Bridge.

Compiled by: Craig Scott (with thanks to many others for their suggestions and contributions)

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Table of Contents

The Table of Contents which follows is constructed as a kind of narrative of themes addressed in the Bridge. An introductory overview of those themes and how the sessions relate to each other will be given at the start of the Bridge. You should, however, flip through the Table of Contents, looking at the headings and titles, in order to get a sense of what some of the connections appear to be for you. Not all the readings will be referred to in sessions, and often the presentations will assume the readings as background but not specifically discuss those readings.

There are three layers to the Table of Contents. First of all, note those readings marked with an '**', which indicates that they are the most crucial, largely because they tie directly into Bridge presentations. Secondly, all those readings that are not in square brackets ('[....]') are the readings found in this volume and are therefore the 'required' readings; these readings are also **bolded** so that they stand out. Most of those readings are also in the double-asterisk category. You are asked to try to read the remainder as well, at least by glancing at them to get their gist. The assignment questions, which are to be handed out on the Tuesday, will also help you decide what readings you personally will concentrate on in order to prepare your answer. Keep in mind that most of the ** readings will enhance your ability to answer any one of the assigment questions, even if some will prove not to be directly applicable to the question you choose. Thirdly, the readings in square brackets ('[....]') are readings that are contained in a separate volume, Volume 2, which you are neither required nor expected to have read for the Bridge. Indeed, as mentioned on the cover, Vol. 2 is only available for purchase after the week is over and after assignments are handed in. It is available for those who are sufficiently interested in the subject matter of the Bridge to wish to do a little more reading, or at least to have the materials around for future reference. No one is expected to acquire Volume 2. It will be put on reserve along with Volume 1 after the Bridge.

The Volume 2 readings appear in the Table of Contents for Volume 1 so that you will know what a somewhat fuller narrative through the themes looks like and so that you will therefore be in a position to decide whether you would like to get or refer to Volume 2 in future courses. Volume 2 is approximately the same length as Volume 1; you will be informed of the exact length and price during the Bridge. In Volume 2's Table of Contents, page numbers for both volumes will be indicated, such that you can use that Table of Contents as the reading list for the two volumes together.

Monday, Jan.4: **Understanding Everyday Racism and Situating Privilege**

Making Connections I: Discrimination, Domination, Hatred and Violence

**A.M. Rosenthal, "Lesson from Hitler: Germany's crisis is everyone's crisis" (Nov. 27. 1992) The Globe and Mail A25 1

**Andre Picard, "Hate slaying of gay man stuns Montreal" (Dec. 4, 1992) The Globe and Mail A1 2

**Dale Brazo, "Three swastikas sprayed outside native centre" (Nov. 29, 1992) The Toronto Star A4 3

Understanding Everyday Racism

**Philomena Essed, "Everyday Racism" from Everyday Racism: Reports from Women of Two Cultures 7-36, 169-173, 257-260. (Trans. from the Dutch by Cynthia Jaffe, 1990) 4

**Sherene Razack, "Racism in Quotation Marks: A Review of Philomena Essed's Work", (1991) 20:3/4 Resources for FeministResearch 148 22

Further Definitions: Concepts and Constructions

[Nitya Duclos, "Lessons of Difference: Feminist Theory on Cultural Diversity" (1990) 38 Buffalo Law Review 325, at 329-337 (excerpts; footnotes omitted)] [v2]

[Vic Satzewich, "The Political Economy of Race and Ethnicity" in Peter Li, ed., Race and Ethnic Relations in Canada (Toronto: Oxford University Press, 1990) (excerpts; footnotes omitted)] [v2]

Experiencing Everyday Racism

**Adrienne Shadd, "Institutionalized Racism and Canadian History: Notes of a Black Canadian" in Ormond McKague, ed., Racism in Canada 1 (1991) 26

**"Racial Harassment: Two Individual Reflections" in McKague, ed., Racism in Canada 11 (1991) 28

[M. Nourbèse Philip, "Introduction; Echoes in a Strange Land", in M. Nourbese Philip, Frontiers: essays and writings on racism and culture 9, 17-25 (1992) (excerpt: opening quotations and last half)] [v2]

[M. Nourbese Philip, "Why Multiculturalism Can't End Racism" in M. Nourbese Philip, Frontiers: essays and writings on racism and culture 181 (1992)] [v2]

Sun-Kyung Yi, "Small-town bigots alive and well" (Dec. 3, 1992) The Globe and Mail A32 **30**

Everyday Racism and Work

Frances Henry and Effie Ginzberg, "Racial Discrimination in Employment", in Curtis et al., ed., Social Inequality in Canada 214 (1988) **32**

[Alison Bass, "Studies find workplace still a man's world: Researcher demonstrates how biases work against women and minorities" (December 3, 1990) The Boston Globe 1] [v2]

****Canadian Civil Liberties Association, Letter to Minister of Labour Bob MacKenzie, September 4, 1992** **39**

Thomas Stewart, "Gay in Corporate America" in (Dec. 16, 1991) Fortune 43 **41**

[Cecil Foster, "Where the colour of money is white" (Nov. 5, 1992) The Globe and Mail] [v2]

Everyday Racism and Housing

****Centre for Equality Rights in Accommodation (CERA), Racial Discrimination and Harassment in Housing, Report of a Provincial Study 1-2, 5-9, 31-36 (March 1992)** **43**

[Craig McInnes, "A home called Dixon" (Nov. 28, 1992) The Globe and Mail D1] [v2]

[Jennifer Lewington, "Moving in a new direction to overcome 'inborn fear'" (July 2, 1992) The Globe and Mail A1] [v2]

Point of View and Privilege

****Martha Minow, "Foreword: Justice Engendered" (1987) 101 Harvard Law Review 10 [excerpts; footnotes omitted]** **52**

****Makeda Silvera, ed. Silenced: Talks with working class Caribbean women about their lives and struggles as Domestic Workers in Canada (Toronto: Sister Vision, Black Women and Women of Colour Press, 1989), "Savitri", 45-51** **60**

**Audrey Macklin, "Foreign Domestic Worker: Surrogate Housewife or Mail Order Servant?" (1992) 37 McGill Law Journal 681, at 681-683, 748-760 64

**Kath Weston, "Coming Out to 'Blood' Relatives" and "Exiles from Kinship" in Weston, Families We Choose: Lesbians, Gays, Kinship 67-68, 29-33 (1991) 73

**"Guided Visualization of Heterosexual Hell", Extracts from Reading for Ontario Public Interest Research Group (OPIRG) Reverse Roles/Privilege Workshop (Fall 1992) 76

WORKSHOP: Everyday Racism and Personal Privilege

(to be handed out during workshop):

Peggy McIntosh, "White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences Through Work in Women's Studies", Working Paper #189, Wellesley College Centre for Research on Women, 1988; also in Race and Racism 70-81 Hand-Out

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Tuesday, Jan. 5 - Morning:

Social Construction and Social Production

Anti-Essentialism and the Social Construction of Difference

**Nitya Duclos, "Lessons of Difference: Feminist Theory on Cultural Diversity" (1990) 38 Buffalo Law Review 325 [excerpts; footnotes omitted] 86

[Joan C. Williams, "Dissolving the Sameness/Difference Debate: A Post-Modern Path Beyond Essentialism in Feminist and Critical Race Theory" (1991) Duke Law Journal 296] [v2]

Roxanne Ng, "Social Construction of the Immigrant Woman" in Hamilton, ed. The Politics of Diversity (1987) 95

Steven Epstein, "Gay Politics, Ethnic Identity: The Limits of Social Constructionism" in Edward Stein, ed., Forms of Desire: Sexual Orientation and the Social Construction Controversy 238 (1990) (excerpts) 104

[Joy Mannette, "The Social Construction of Ethnic Containment: The Royal Commission into the Donald Marshall Jr. Prosecution" in Denny et al., Elusive Justice: Beyond the Marshall Inquiry 62-78 (1992)] [v2]

Ethnicized Discourses: Orientalism & Africanism, Identity & Intersections

**Edward Said, Orientalism (1979) (1st extracts: 1-9; see esp. pp.2-3, and compare to Morrison, who follows) 119

**Toni Morrison, Playing in the Dark: Whiteness and the Literary Imagination 7 (1992) 124

[Edward Said, Orientalism (1979) (2nd-4th extracts: 22-28; & 284-293; 314-328)] [v2]

David Henry Hwang, (Act 3, Scene 1) and "afterword" [by the playwright] in M. Butterfly 80, 94 (Plume, 1989) 125

Linda Xiao Jia Chen, "Laundresses and Prostitutes: Deconstructing Stereotypes and Finding an Asian Feminist Voice" (1991) 20:3/4 Resources for Feminist Research 88 131

Power at the Intersections, the Social Production of Racism and Ethnicized Discourses

**Sherene Razack, "Exploring the Omissions and Silences in Law Around Race", in Dorothy Chunn and Joan Brockman, ed., Investigating Gender Bias (1993) (forthcoming) (Paper Presented to the Research Consultation on How to Study Gender Bias in the Law, the Courts and the Legal Profession, Nov. 1-2, 1991, Simon Fraser University, Vancouver) 134

**Yasmin Jiwani, "To be and not to be: South Asians as Victims and Oppressors" (August 1992) Sanvad 13 145

Deborah Wilson, "Catholic bishop's rape trial packs B.C. courtroom: Former students of residential school bitter" (Dec. 3, 1992) The Globe and Mail A4 148

**Kimberle Crenshaw, "Race, Gender, and Sexual Harassment" (1992) 65 Southern Calif. Law rev. 1467 149

Further Perspectives on Intersections and Coalitions

**Mirtha Quintanales, "I Paid Very Hard for My Immigrant Ignorance" in Cherrie Moraga and Gloria Anzaldua, eds., This Bridge Called My Back: Writings by Radical Women of Colour 150 (1983) 154

[Becki Ross, "Whatever Happened to 'A is for Amazon?': The High-Wire Performance of Lesbian Subjectivity in the 1990s" (1991) 20: 3/4 Resources for Feminist Research 124] [v2]

[Paulette Caldwell, "A Hair Piece: Perspectives on the Intersection of Race and Gender" (1991) Duke Law Jl. 365] [v2]

Housing at the Intersection of Race, Class and Gender

**Race Relations Committee, Kitchener-Waterloo, Racial Discrimination and Rental Accommodation in Kitchener-Waterloo (August, 1991) 158

[Dartmouth/Halifax County Regional Housing Authority v. Sparks (1992), 112 N.S.R. (2d) 389 (N.S. Co. Ct.)] [v2]

Making Connections II: Homophobia and Heterosexism

**Various Contributors, "Gays Under Fire" (Sept. 14, 1992) Newsweek 35 165

Tuesday, Jan. 5 - Afternoon:

Focus on Policing as a Site of Social Production

'Out of the Blue'

**Jeannine Amber, "Being questioned by police a 'routine', black drivers say" (April 17, 1992) The Toronto Star A1 171

Val Ross, "Giving a human face to 'chaos'" (May 5, 1992) The Globe and Mail C1 174

M. Nourbese Philip, "Letter, January 1989 - How Do You Explain?" in M. Nourbese Philip, Frontiers: essays and writings on racism and culture 90 (1992)

Out of the SUN

[Eric Margolis, "Life on the Edge of Anarchy" (May --, 1992) The Toronto Sun --.] [v2]

The Stephen Lewis Report

**Stephen Lewis, Letter to Premier Bob Rae, Report as Temporary Advisor on Race Relations (June 9, 1992) (excerpts) 176

Stephen Lewis, Consolidated List of Recommendations (Originally Contained in Main Body of Letter) in Letter to Premier Bob Rae, Report as Temporary Advisor on Race Relations (June 9, 1992) 191

The Andrews Audit

[Allan G. Andrews, Review of Race Relations Practices of the Metropolitan Toronto Police Force (An Audit Peformed at the Request of the Metropolitan Toronto Police Services Board) 35-41, 13-25, 48-58, 59-70, 74-85, 86, 93-98, 99, 106, 108-109 (September 4, 1992) (excerpts)] [v2]

Further Perspectives and Recommendations

****Henry P. Chow, The Police and the Chinese Community: An Exploratory Study of the Chinese Attitudes Towards the Police and Their Assessment of Police Services, A Report Prepared for the Toronto Chapter of the Chinese Canadian National Council vii-viii, 23-24, 26, 31-34 (1991) 195**

[Ontario Native Council on Justice, "I. The Conference", "Workshop -Native Awareness Training", "Workshop - Gays & Lesbians of the First Nations" and "Guest Speech - Ms. Susan Eng, Cahir, Metropolitan Toronto Police Services Board" in Metropolitan Toronto Aboriginal Peoples and Police: Working Together 1-2, 8-10, 28-29, and 30-33 (A Report on a Conference, January 20-21, 1992) (See also further extract for Wednesday readings, supra., "Community Council Project", 13)] [v2]

Responses

****Gay Abbate, "Police prejudice exists, Metro report concludes" (Sept. 11, 1992) The Globe and Mail A1 202**

****Richard Mackie, "Sweeping inquiry launched into racism in justice system" (Sept. 30, 1992) The Globe and Mail A15 204**

Editorial, "Racing to conclusions" (Oct. 1, 1992) The Globe and Mail A26 205

Gay Abbate, Donn Downey and Richard Mackie, "Defiant police union calls on Eng to resign" (Oct. 9, 1992) The Globe and Mail A1 206

Gay Abbate, "Police may get semi-automatics, Ontario chiefs told" (Nov. 10, 1992) The Globe and Mail A15 207

Thinking Further About Some of the Issues

[Kevin Davis, "Racial Discrimination in Policing" (1992)(unpublished draft; excerpts) (NOT FOR CITATION WITHOUT AUTHOR'S PERMISSION)] [v2]

[Julian Roy, "The Dilemma of Difference: The Use and Abuse of Racial Criminal Justice Situations" (1992)(unpublished draft; excerpts)(NOT FOR CITATION WITHOUT AUTHOR'S PERMISSION)] [v2]

Wednesday, Jan. 6 - Morning

Understanding Difference and Eliminating Racism in the Aboriginal Context

Understanding Aboriginal Difference Critically

****"An Aboriginal Perspective on Justice" in Justice on Trial: Report of the Task Force on the Criminal Justice System and Its Impact on the Indian and Metis People of Alberta (The Cawsey Task Force Report; Leroy Little Bear, Member and Primary Author of this extract) Ch. 9 (1991)** **208**

[Leroy Little Bear, "Dispute Settlement Among the Naidanac" in Richard Devlin, ed., First Nations Issues (1991)] [v2]

[Mary Ellen Turpel, "Aboriginal Peoples and the Canadian Charter: Interpretive Monopolies, Cultural Differences" in First Nations Issues 40 (Richard Devlin, ed., 1991)] [v2]

[Arnold Krupat, "Introduction: Ethnocriticism" in Krupat, Ethnocriticism: Ethnography, History and Literature 1-8, 18-21, 25-29, 37-45 (1992)] [v2]

Rupert Ross, "Introduction" and "Signals of Difference" in Dancing with a Ghost: Exploring Indian Reality xxi-xxvii, 6-10 (1992) **215**

[Rupert Ross, "Leaving Our White Eyes Behind: The Sentencing of Native Accused" [1989] 3 Canadian Native Law Reporter 1] [v2]

[Leslie Hall Pinder, The Carriers of No: After the Land Claims Trial, Discussions About Law #2, (Vancouver: Lazara Press, 1991)] [v2]

Making Aboriginal Communities Whole: The Role of Aboriginal Women in Forging an Anti-Racist Society, Law and Politics

****Justices Hamilton and Sinclair, Report of the Aboriginal Justice Inquiry: The Justice System and Aboriginal People, Vol. 1 (Manitoba, 1991), chapter 13, "Aboriginal Women", 475-507** **222**

[The Attorney General of Canada v. Jeannette Lavell [1974] S.C.R. 1349 [headnote only]] [v2]

[Lovelace v. Canada, Comm. No. 24/1977, 30 July 1981 in (United Nations) Human Rights Committee, Selected Decisions Under the Optional Protocol (of the International Covenant on Civil and Political Rights) 83 (1985)] [v2]

****Nitya Duclos, "Lessons of Difference: Feminist Theory on Cultural Diversity" (1990) 38 Buffalo Law Review 325, at 363-381 (excerpts; most footnotes omitted)** **226**

****Bernice Hammersmith, "Aboriginal Women and Self-Government" in Diane Engelstad and John Bird, eds., Nation to Nation: Aboriginal Sovereignty and the Future of Canada 53-60, 235 (1992)** **230**

[Robert A. Williams, Jr., "Gendered Checks and Balances" Understanding the Legacy of White Patriarchy in an American Indian Context", (1990) 24 Georgia Law Review 1019, at 1019, 1028-1044 (footnotes omitted)] [v2]

Exploring Sovereignty: Legal and Institutional Responses to First Nations Difference -- Focus on Criminal Justice

Frank Cassidy and Robert Bish, Indian Government: Its Meaning in Practice 29-50 (1989) **234**

****Justices Hamilton and Sinclair, Report of the Aboriginal Justice Inquiry: The Justice System and Aboriginal People, Vol. 1 (Manitoba, 1991), chapter 7, "Aboriginal Justice Systems", 310-336** **246**

Statement of Political Relationship (Between the Government of Ontario and the First Nations), Signed August 1991 **260**

[The Charlottetown Accord, Draft Legal Text, October 9, 1992.] [v2]

[Daniel Russell, "The Aboriginal Justice Inquiry and the United States Tribal Court Experience", (1991) 11 Windsor Yearbook of Access to Justice 165] [v2]

[Rodney Bobiwash, Self-Government Committee Report, October 5, 1991 (Native Canadian Centre of Toronto)] [v2]

[Recognition and Support Form, Toronto Urban Self-Government Initiative] [v2]

**Jonathan Rudin, "Alternative Dispute Resolution Systems for Native People Without a Land Base", Ch. IX in Jonathan Rudin and Daniel Russell, Native Alternative Dispute Resolution Systems: The Canadian Future Out of the American Past (Toronto: Ontario Native Council on Justice, 1991) 261

**Ontario Native Council on Justice, "Community Council Project" in Metropolitan Toronto Aboriginal Peoples and Police: Working Together 13 (A Report on a Conference, January 20-21, 1992) 266

Wednesday, January 6 - Afternoon

History and Harm: The Past in the Present

From 1492 in the Caribbean to 1992 in Toronto: Discovering Our Colonial Present

**Richard Hill, "Savage Splendor: Sex, Lies and Stereotypes" in Turtle Quarterly 268

[Michael Bliss, "Conducted Tour" (April/May 1989) 69:2 The Beaver 16] [v2]

[Ronald Wright, "Prologue: Discovery" and "Epilogue: Rediscovery" in Wright, Stolen Continents: The 'New World' Through Indian Eyes Since 1492 1-14, 343-346 (1992)] [v2]

Bittersweet Passage: Redress and the Japanese Canadian Experience

[Ted Aoki, "Questioning Identity" in "Revisting the Notions of Leadership and Identity" in Cassandra Kobayashi and Roy Miki, eds., Spirit of Redress: Japanese Canadians in Conference 74. at 77-80 (1989)] [v2]

[Audrey Kobayashi, "The Early History of Japanese Canadians" in Spirit of Redress 81-88 (excerpts)] [v2]

"Workshop Information Sheet" in Spirit of Redress (no page no.) **278**

[Terry Watada, "The Conspiracy of Silence" (Vignettes from an Internment Camp Bus Tour) in Spirit of Redress 141-149 (excerpts)] [v2]

****Maryka Omatsu, "War Stories" in Bittersweet Passage: Redress and the Japanese Canadian Experience 71-90 (1992)** **279**

Battling the Dark Side: Anti-Semitism, Anti-Semites and Bigotry's Fellow Travellers

****Yaacov Glickman, "Anti-Semitism and Jewish Social Cohesion in Canada" in Ormond McKague, Racism in Canada 45-63 (1991)** **290**

Making Connections III: That was Then, That's Not Here -- Away and Not So Far Away

[Jerome E. Birkenbach, "Lawyers, Law Professors, and Racism in Ontario" (19--) Queen's Quarterly 585] [v2]

[Irving Abella and Harold Troper, None is Too Many: Canada and the Jews of Europe, 1933-1948 (Toronto: Lester and Orpen Dennys Limited, 1986)] [v2]

["Confessed to killings, neo-Nazi attempts suicide" (Dec. 3, 1992) The Globe and Mail A17] [v2]

[Editorial, "Germany's real immigration problem" (Nov. 27, 1992) The Globe and Mail A24] [v2]

["Poll showed hostility to immigrants" (Sept. 14, 1992) The Globe and Mail A4] [v2]

Thursday, Jan. 7:

The Production of Words and Images: Expressing Hate Freely, Appropriation of Voice and Experience and Media(ting) Stereotypes

**Statement of Facts, Supreme Court of Canada Factum Submitted by Attorney General of Alberta (Appellant) in R. v. Keegstra 300

**Statement of Facts, Supreme Court of Canada Factum Submitted on behalf of J. Keegstra (Respondent) in R. v. Keegstra 301

**Lorraine Weinrib, "Hate Promotion in a Free and Democratic Society: R. v. Keegstra" (1991) 36 McGill Law Journal 1416 303

**Mari J. Matsuda, "Public Response to Racist Speech: Considering the Victim's Story" (1989) 87 Michigan Law Review 2320 (excerpts) 312

[Nicolaas van Rijn, "Special unit urged to probe hate crimes in Metro" (Nov. 29, 1992) The Toronto Star A4] [v2]

** (see the two essays marked '** especially) M. Nourbese Philip, "Appendix I" (to "Disturbing to Peace"), (** especially) "The 6% Solution", (** especially) "Publish + Be Damned", and "The Disappearing Debate: Or, how the discussion of racism has been taken over by the censorship issue" in M. Nourbese Philip, Frontiers:essays and writings on racism and culture at 148-151, 155-159, 160-167, & 269-286 (1992) 324

[Allan Hutchinson, "Giving smaller voices a chance to be heard" (April 14, 1992) The Globe and Mail A16] [v2]